

REMARKS

Claims 27 and 35 have been amended so that they correspond with the parent claims. Claims 18, 26-31, 33-35 and 39-40 have been withdrawn as required by the Notice of Non-Compliant Amendment. The Examiner included claim 25 in the claims that should be withdrawn, however Applicant respectfully asserts that claim 25 is drawn to the elected invention.

Applicants hereby elect Group I, identified by the Examiner as drawn to a method of checking for hermeticity of a closed cavity by optical means. Applicants assert that claims 17 and 19-25 are drawn to this elected invention. This election is made without traverse.

In addition, Applicants hereby elect Species A, identified by the Examiner as drawn to Figures 1 and 5. Applicants assert that claims 17 and 19-25 are drawn to this species. This election is made with traverse. Applicants respectfully request reconsideration and withdrawal of the requirement for the following reasons.

Applicants respectfully assert that the embodiments of Species A and B are very similar and differ only in the location of the indicator element 4. Claims 17 and 19-25 are drawn to both species. Thus, Applicant respectfully requests that the Examiner allow election of both Species A and B.

Applicant asserts that the costs associated with a division outweigh the burden on the Examiner for examination purposes. For example, a division would cause Applicants to face undue expense in filing and prosecuting multiple applications, and payment of excessive issue and maintenance fees. The resulting costs to Applicants would be disproportionate to the quantity of patentable subject matter. Moreover, the PTO would face increased Examiner workload from the redundant procedural requirements resulting from the unnecessary division. Finally, the public would be burdened by the uncertain scope during serial prosecution, by the

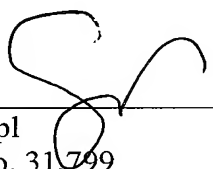
costs and time to review multiple file histories, and by litigation uncertainty arising from differing file histories produced by various Examiners with different viewpoints.

Finally, Applicants hereby elect Species 1, identified by the Examiner as drawn to a micrometric component having a silicon substrate. Claims 17 and 19-24 are drawn to this species. This election is made without traverse.

It is believed that this application is now in condition for examination, and the Examiner's early and favorable consideration is earnestly solicited. Questions are welcomed by the below-signed attorney for Applicants.

Respectfully submitted,

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